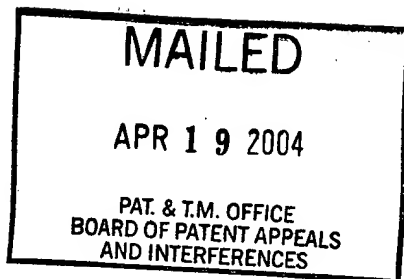


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte DEAN DODGE,
GRANT BYERS and JEFF MARX

Appeal No. 2004-1115
Application 09/990,054

ORDER REMANDING TO EXAMINER

On June 27, 2003, appellants filed a Notice of Appeal (Paper No. 11). On September 2, 2003, appellants filed an Appeal Brief (Paper No. 13). The Appeal Brief incorrectly lists this paper as belonging to Application Serial No. 09/090,054 instead of 09/990,054. Hence, the Patent and Trademark Office records reflect that the Appeal Brief fee was charged to Application Serial No. 09/090,054, not 09/990,054. Appropriate correction of the fee is required.

Appeal No. 2004-1115
Application 09/990,054

Accordingly, it is

ORDERED that the application is remanded to the
examiner:

1. for correctly charging the \$320 Appeal Brief fee to
Application 09/990,054 and not 09/090,054;


2. for notification to appellants regarding the action
taken; and

3. for such further action as may be appropriate.

It is important that the Board of Patent Appeals and
Interferences be informed promptly of any action affecting
the status of the appeal (i.e., abandonment, issue, reopening
prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


KIMBERLY JORDAN
Program and Resource Administrator
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KJ:psb

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